

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

Please Read Application And Notes, If Any, Attached

Permit Number: 081037

PERMIT ISSUED

SEP 11 2008

This is to certify that THAYER PHILIP K ETAL Bruce Sullivan

has permission to replacement of existing stone retaining

AT 0 SHORE RD 106A C018001

provided that the person or persons firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Classification of inspection must be given and when permission procured before this building or part thereof is occupied or services closed-in. 4 HOUR NOT REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS

Fire Dept.
Health Dept.
Appeal Board
Other Department Name

Handwritten signature and date 9/12/08

Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 08-1037	Issue Date:	CBL: 106A C018001
-----------------------	-------------	----------------------

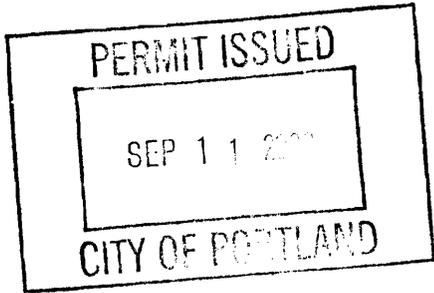
Location of Construction: 0 SHORE RD <i>Cushniks Island</i>	Owner Name: THAYER PHILIP K ETALS	Owner Address: 39 OAK AVE	Phone:
Business Name:	Contractor Name: Bruce Sullivan	Contractor Address: 121 Moore Road Cumberland	Phone 2077122532
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Dwellings	Zone: IR-1

Past Use: Seasonal Single Family Home	Proposed Use: Seasonal Single Family Home - replacement of existing stone retaining wall	Permit Fee: \$490.00	Cost of Work: \$47,000.00	CEO District: 1
--	---	-------------------------	------------------------------	--------------------

Proposed Project Description: replacement of existing stone retaining wall	FIRE DEPT: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied <i>N/A</i> Signature:	INSPECTION: Use Group: <input checked="" type="checkbox"/> Type: <i>IRC 2003</i> Signature:
---	---	--

Permit Taken By: Idobson	Date Applied For: 08/21/2008	Zoning Approval	
-----------------------------	---------------------------------	------------------------	--

<ol style="list-style-type: none"> This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. Building permits do not include plumbing, septic or electrical work. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.. 	Special Zone or Reviews <input checked="" type="checkbox"/> Shoreland <i>applied to PBR -</i> <input type="checkbox"/> Wetland <i>not approved 8/20/08</i> <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <i>Exemption 2008-0128</i> Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> <i>OK w/condition</i> Date: <i>9/2/08</i>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	Historic Preservation <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date:
---	--	---	---



CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE



General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>72 SHORE RD</u>		
Total Square Footage of Proposed Structure/Area	Square Footage of Lot <u>28K</u>	Number of Stories
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>106</u> <u>AC</u> <u>18</u>	Applicant * must be owner, Lessee or Buyer * Name Address City, State & Zip	Telephone:
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name <u>PHILIP THAYER</u> Address <u>CUSHING ISLAND</u> City, State & Zip <u>PORTLAND ME 04109</u>	Cost Of Work: \$ <u>47,000</u> C of O Fee: \$ _____ Total Fee: \$ _____
Current legal use (i.e. single family) <u>SEASONAL SINGLE FAMILY</u> Number of Residential Units _____ If vacant, what was the previous use? _____ Proposed Specific use: _____ Is property part of a subdivision? _____ If yes, please name _____ Project description: <u>REPLACEMENT OF EXISTING STONE RETAINING WALL</u>		
Contractor's name: <u>BRUCE SULLIVAN</u> Address: <u>121 MIDDLE RD</u> City, State & Zip <u>CUMBERLAND ME 04021</u> Telephone: <u>207-712-2532</u> Who should we contact when the permit is ready: _____ Telephone: _____ Mailing address: _____		

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature: [Signature] Date: 8/21/08

This is not a permit; you may not commence ANY work until the permit is issue

City of Portland, Maine - Building or Use Permit

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 08-1037	Date Applied For: 08/21/2008	CBL: 106A C018001
------------------------------	--	-----------------------------

Location of Construction: 0 SHORE RD Cushing Island (#72)	Owner Name: THAYER PHILIP K ETALS	Owner Address: 39 OAK AVE	Phone:
Business Name:	Contractor Name: Bruce Sullivan	Contractor Address: 121 Moore Road Cumberland	Phone: (207) 712-2532
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Dwellings	

Proposed Use: Seasonal Single Family Home - replacement of existing stone retaining wall	Proposed Project Description: replacement of existing stone retaining wall
--	--

Dept: Zoning	Status: Approved with Conditions	Reviewer: Ann Machado	Approval Date: 09/02/2008
Note:	Ok to Issue: <input checked="" type="checkbox"/>		
1) This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.			
2) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.			
Dept: Building	Status: Approved	Reviewer: Tammy Munson	Approval Date: 09/11/2008
Note:	Ok to Issue: <input checked="" type="checkbox"/>		

Comments:
8/21/2008-amachado: Waiting for siteplan exemption approval - applied 8/13/08. Applied for permit by rule on 8/13/08. PBR valid only if approved by DEP or 14 days after DEP recieved it.
8/29/2008-gg: Received granted site exemption as of 8/26/08. Filed with permit (Ann)

DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT BY RULE NOTIFICATION FORM
 (For use with DEP Regulation, Chapter 305)

PLEASE TYPE OR PRINT IN BLACK INK ONLY

Name of Applicant: (owner)		Philip K. Thayer			Applicant Mailing Address:		39 Oak Avenue		
Town/City:		Belmont			State:		Massachusetts		
Zip Code:		02478-2712	Daytime Telephone No: (include area code)		857.272.6125 cell 207.766.2536 island		Project Location: (town)		Portland, ME (Cushings Island)
County:		Cumberland County		Map #:	Book 18950 Page 299	Lot #:	Tax ID# 15342 Parcel ID# 106A-C-018-001	Name of Wetland or Waterbody: Casco Bay coastal buffer zone	
Name of Agent:		NA			Agent's Telephone No: (include area code)			NA	
Detailed Directions to Site:		The property is located 72 Shore Road, Cushings Island, Portland, Maine 04109 (City Assessor's/ E 911 address); deed address is Calumet Avenue, Cushings Island, Portland, Maine.							
The Thayer property is located on the inland side of Shore Road (Calumet Avenue) above Lobster Cove (Little Beach) on Cushings Island.									
The location of the retaining wall to be replaced is approximately 30-40' from the top of the slope above Little Beach; approximately 50-60' above the mean high tide.					UTM Northing: (if known)	43-38.731N approx.	UTM Easting: (if known)	70-12.241W approx.	
Description of Project:		The Thayer cottage, constructed c.1880, sits on a raised terrace above the Shore Road, which has been historically supported by a dry-laid stone wall. Over time, this retaining wall has subsided, due in large part to the gradual downward movement of the slope and has been adversely affected by invasive Barberry and Japanese Spirea. The anticipated failure of the stone wall, and the gravitational movement of the slope threatens the foundation of the house. Therefore, this application seeks to replace deteriorated stone wall with a new dry-laid, battered stone wall in the same location. The new wall will be built of mixed sizes of granite and fieldstone, consistent with the historic dry laid foundations on the island, with the largest stones at the base to provide structural stability. The existing mortared steps leading to the house will be replaced with single pieces of weathered granite; a small second set of steps at the western end of the wall connects to a footpath up the slope. The wall will measure approximately 4-5' in height, varying with the elevation of the Shore Road along the front of the house – approximately 100 linear feet; capstones at the top of the wall will be approximately 28" in width. The wall will be back-filled with crushed stone and geotextile filter fabric, with a planting area at the top and bottom. Existing stone will be re-used in the wall and backfill; existing topsoil will be reused. Existing Rosa rugosa will be salvaged and replanted after the wall is completed. The existing lawn above the wall will be re-seeded after the wall is completed. The anticipated construction period is September-October 2008.							
The site will be protected with silt fence to prevent runoff. Native/salt-tolerant shrubs (Bearberry, Northern Bayberry, Rosa rugosa) will be planted at the top and bottom of the wall.					Part of a larger project?		Yes	X	No

(CHECK ONE) This project: does does not involve work below mean low water.

I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Rules, Chapter 305. I and my agents, if any, **have read** and will comply with all of the standards in the Sections checked below.

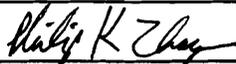
- | | | |
|--|---|---|
| <input type="checkbox"/> Sec. (2) Act. Adj. to Protected Natural Res. | <input type="checkbox"/> Sec.(10) Stream Crossing | <input type="checkbox"/> Sec. (17) Transfers/Permit Extension |
| <input type="checkbox"/> Sec. (3) Intake Pipes | <input type="checkbox"/> Sec. (11) State Transportation Facil. | <input type="checkbox"/> Sec. (18) Maintenance Dredging |
| <input checked="" type="checkbox"/> Sec. (4) Replacement of Structures | <input type="checkbox"/> Sec. (12) Restoration of Natural Areas | <input type="checkbox"/> Sec. (19) Activities In/on/over significant vernal pool habitat |
| <input type="checkbox"/> Sec. (5) REPEALED | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement | <input type="checkbox"/> Sec. (20) Activities in existing dev. areas located In/on/over high or moderate value inland waterfowl & wading bird habitat or shorebird nesting, feeding & staging areas |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation | <input type="checkbox"/> Sec. (14) REPEALED | |
| <input type="checkbox"/> Sec. (7) Outfall Pipes | <input type="checkbox"/> Sec. (15) Public Boat Ramps | |
| <input type="checkbox"/> Sec. (8) Shoreline stabilization | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects | |
| <input type="checkbox"/> Sec. (9) Utility Crossing | | |

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. I also understand that **this permit is not valid until approved by the Department or 14 days after receipt by the Department, whichever is less.**

I have attached the following required submittals. **NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:**

- Attach** a check for \$55 made payable to: "Treasurer, State of Maine".
- Attach** a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- Attach** all other required submissions as outlined in the PBR Sections checked above.

By signing this Notification Form, I represent that the project meets all applicability requirements and standards in the rule and that the applicant has sufficient title, right, or interest in the property where the activity takes place.

Signature of Agent or Applicant:		Date:	8/13/08
----------------------------------	---	-------	---------

Keep a copy as a record of permit. Send the form with attachments via certified mail or hand deliver to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. **Work carried out in violation of any standard is subject to enforcement action.**

AUGUSTA DEP
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017
(207)287-3901

PORTLAND DEP
312 CANCO ROAD
PORTLAND, ME 04103
(207)822-6300

BANGOR DEP
106 HOGAN ROAD
BANGOR, ME 04401
(207)941-4570

PRESQUE ISLE DEP
1235 CENTRAL DRIVE
PRESQUE ISLE, ME 04769
(207)764-0477

OFFICE USE ONLY	Ck.# 5105	Date 8/15/08	Staff JM	Staff	After Photos
PBR# 46573	FP 8 SS.ru		Acc. Date 8/20/08	Def. Date	

DEPLW0309-K2006



PORTLAND, MAINE

Strengthening a Remarkable City, Building a Community for Life
www.portlandmaine.gov

Planning and Urban Development
Penny St. Louis Littell, Director

Planning Division
Alexander Jaegerman, Director

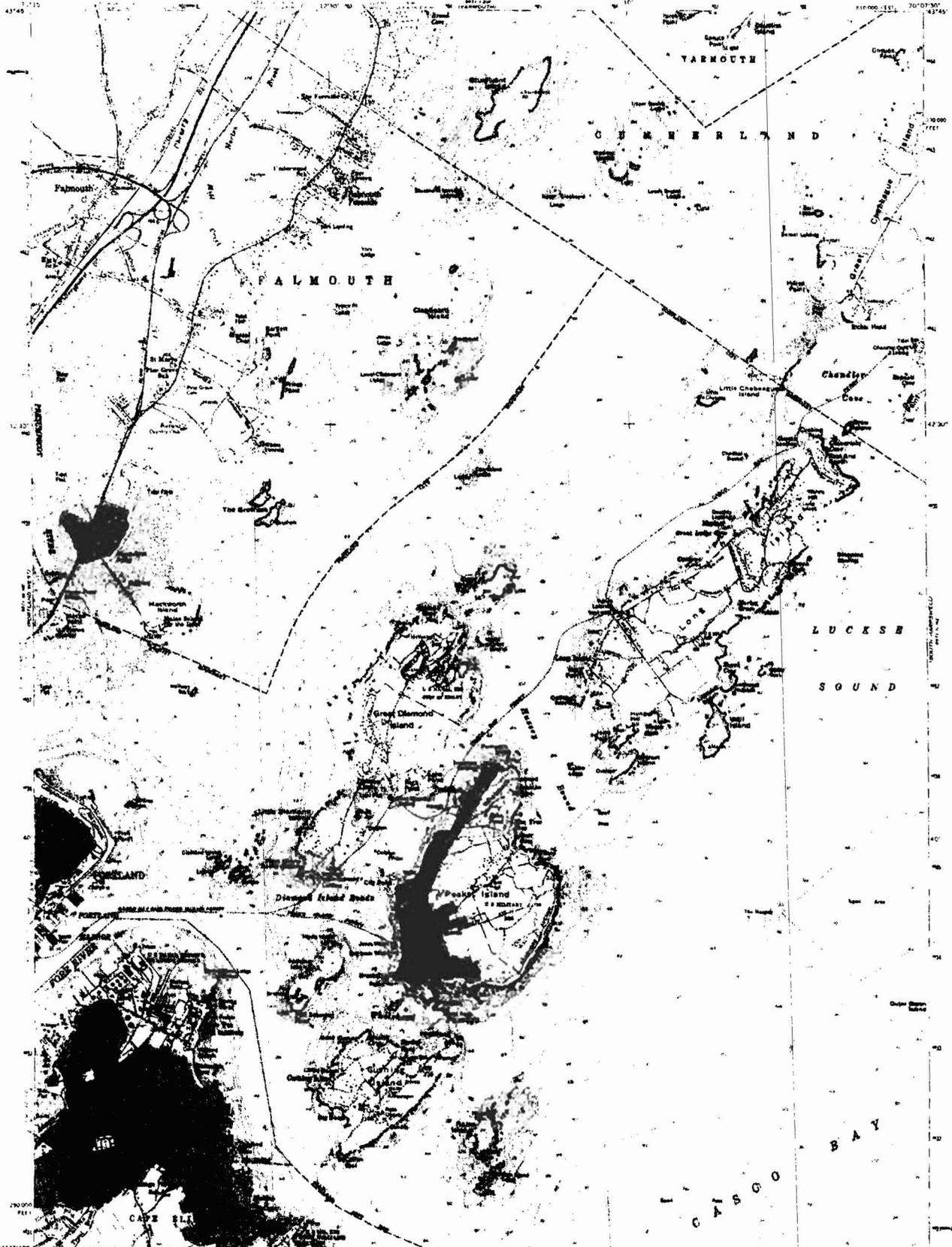
Conditions Of Approval

Philip Thayer
39 Oak Avenue
Belmont, MA

RE: 72 Shore Road, Cushing Island
CBL: 106A C 018001

On August 26, 2008, the Portland Planning Authority approved an Application For Exemption From Site Plan Review for the Repair/Replacement of the Existing Stone Wall Project located in the Shoreland Zone, in the vicinity of 72 Shore Road, Cushing Island identified on the site plan submitted by Philip Thayer, and dated August 13, 2008, with the following conditions:

1. This approval is for a stone retaining wall not to exceed 4 feet in height. Walls over 4 feet in height require a stamped, engineered plan for approval.
2. Erosion and sediment control shall be done in accordance with Best Management Practices, MDEP Technical & Design Guidelines.
3. Photos showing the finished activity must be submitted to Phil DiPierro, Development Review Coordinator, within 20 days of completion.
4. To the greatest extent practicable, materials used in the construction of this project shall be of native sources so that the completed project blends as best as possible with the areas natural surroundings, and to avoid the growth of non-native invasive plant species.
5. All site work will conform to the City of Portland Ordinance of Shoreland Zoning Regulations (Division 26).
6. This approval is based on the Site Plan submitted. Any deviation shall require a separate approval before starting that work. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.



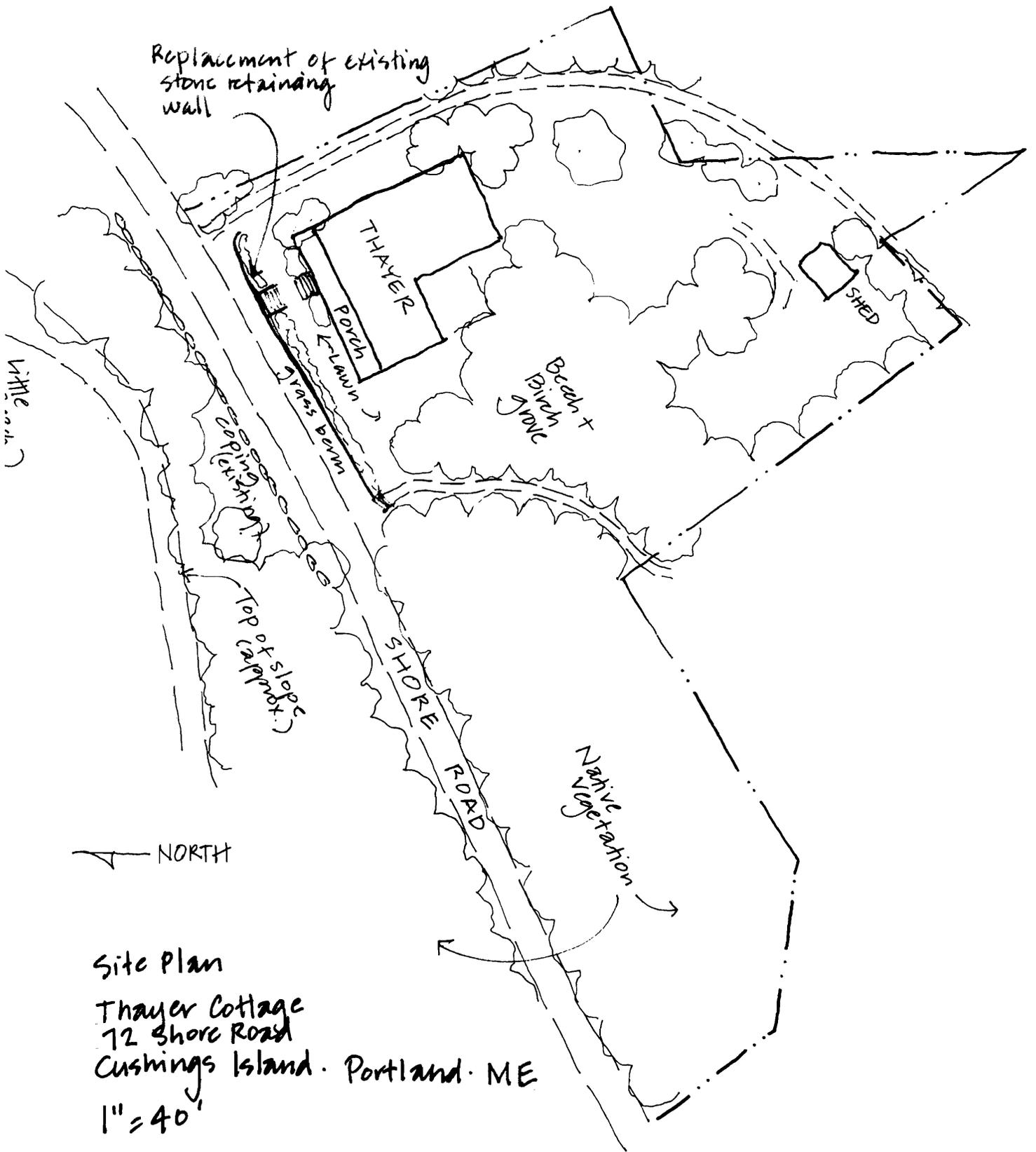
Maped by the Army Map Service
Edited and published by the Geological Survey
Control by USGS, USACE, USCE, and
Maine Geologic Survey
Contours and drainage in part compiled from aerial photographs
taken 1943. Topography by aneroid survey 1864
Contours revised by the Geological Survey 1950
Topographic control from USGS charts 315 (1955) and
325 (1955)
Magnetic declination 1927 North American datum
10,000-foot grid based on Maine coordinate system
1911 zone
1:50,000 meter universal Transverse Mercator grid ticks,
zone 18, shown in blue
Red line indicates areas in which only
streets, buildings are shown



CONTOUR INTERVAL 20 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929
DEPTH CURVES AND SOUNDINGS IN FEET-DATUM IS MEAN LOW WATER
INDICATE SHOW APPROXIMATE DEPTH OF MEAN HIGH WATER
THE MEAN RANGE OF TIDE IS APPROXIMATELY 5 FEET
FOR SALE BY U.S. GEOLOGICAL SURVEY, RESTON, VIRGINIA 20192
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

ROAD CLASSIFICATION
Heavy-duty Light duty
Medium-duty Unimproved dirt
U.S. Route State Route

PORTLAND EAST, ME
SHEET C-480-BAY 1, W-480-BAY 2
MASS 5-WOOD 5/3.5
PRINTED AND PUBLISHED BY
1986
AMS 8871 R BY SCHEID 7011



5' thick -
rip dry-laid
w/ drainage
fabric
filled
w/ k



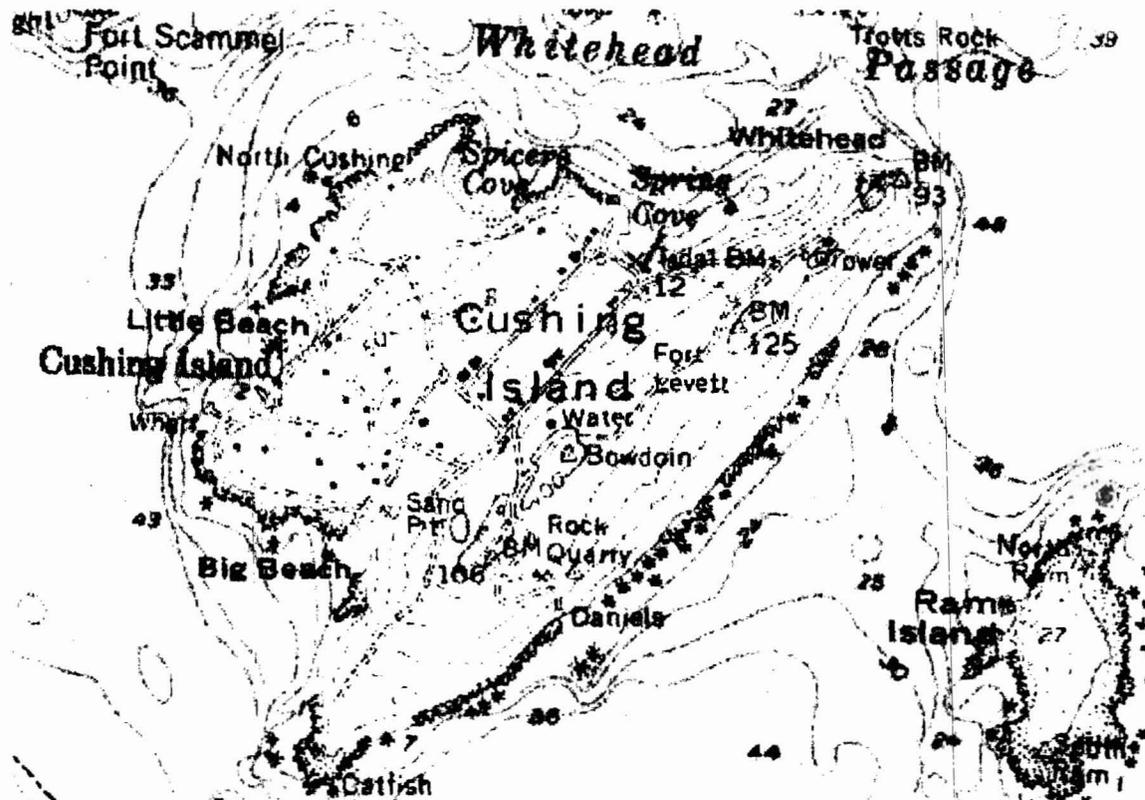
3/4" stone
base
5' x 2 1/2' deep

Detailed view of existing dry-laid stone wall to be replaced. New wall will extend to top of bank to prevent future subsidence.



Detailed view of mortared steps leading to house. Volunteer growth of *Spirea* and *Rosa rugosa* (right) and *Barberry* (left), along with gravitational movement of the bank, have caused the wall to subside.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT BY RULE NOTIFICATION FORM



Project location above Little Beach, Cushings Island, Portland ME.



Thayer cottage with deteriorated stone retaining wall in foreground.

Make 2 copies of application including 11 x 17 plus color photos
Add site plan from other submittal (DEP)
Express mail original including site plan to:

City of Portland
Planning Division
389 Congress Street - 4th Floor
Portland, Maine 04101

Phone 207-874-8719 .

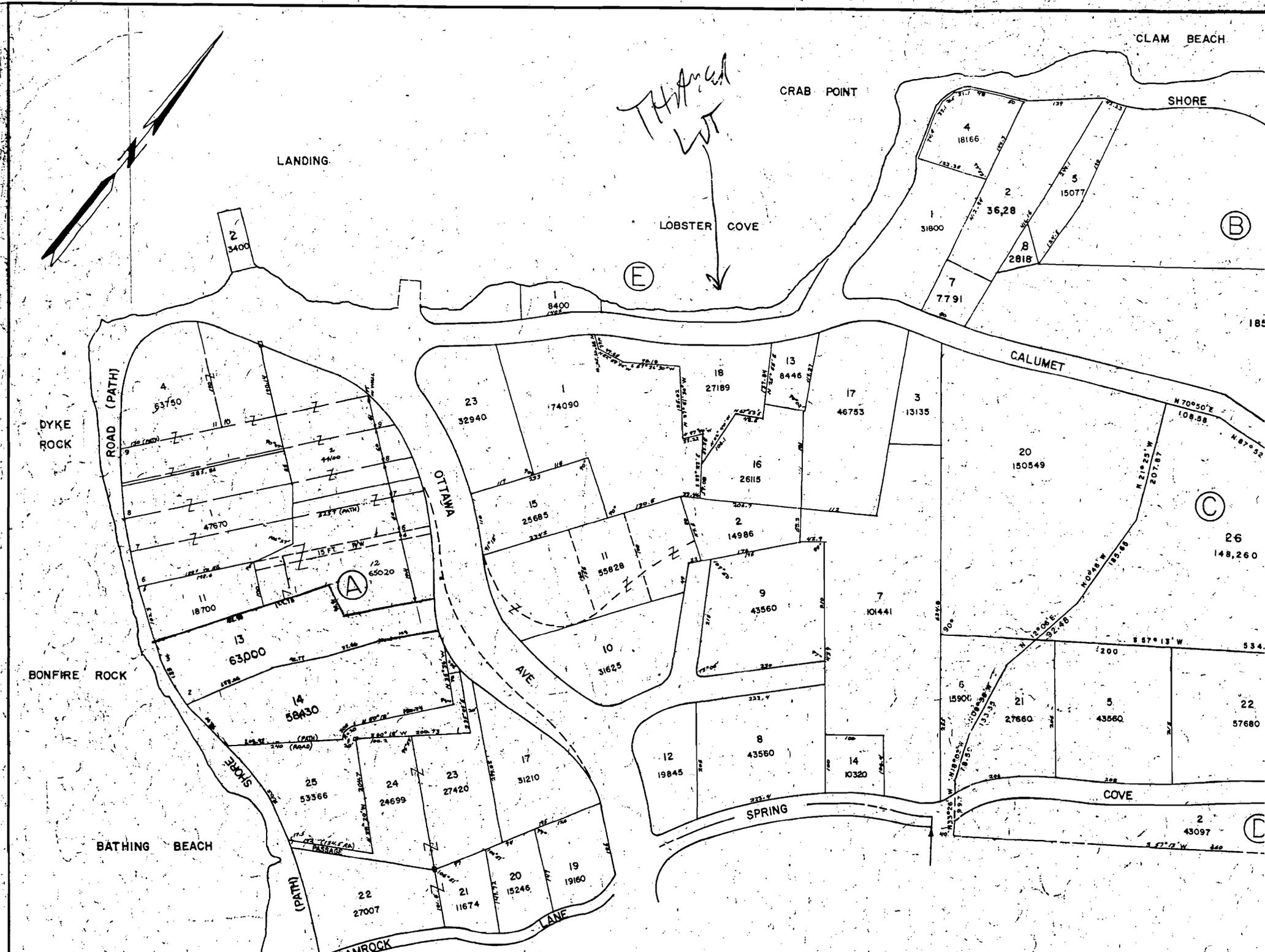
- walls over 4' high require a stamped engineered plan for approval
- All site work will conform to the City of Portland ordinance on Shoreland Zoning Regulations (Division 26)
- This approval is based on the site plan submitted. Any deviation shall require a separate approval before starting that work

John Medeiros?

PLEASE EMAIL A PDF
OF YOUR DECISION TO PKT@THEWORLD.COM

THANK YOU.

Patrick  8/14/08



CLAM BEACH

CRAB POINT

SHORE

LANDING

LOBSTER COVE

Thin red lot

(B)

(E)

185

CALUMET

DYKE ROCK

ROAD (PATH)

OTTAWA

AVE

(C)

26
148,260

BONFIRE ROCK

BATHING BEACH

COVE

SPRING

(PATH)

HAMROCK

LANE

(D)

2
3400

1
8400

4
18166

2
36,28

5
15077

8
2818

7
7,791

4
53750

2
4400

8
47670

11
18700

13
63,000

14
58,430

25
53366

24
24699

23
27420

22
27007

23
32940

1
74090

15
25685

11
55828

10
31625

17
31210

23
27420

20
15246

21
11674

18
27189

13
8446

17
46753

3
13135

16
26115

2
14986

9
43560

7
101441

12
19845

8
43560

14
10320

6
15900

21
27660

5
43560

2
43097

534

22
57680

200

5 27° 12' W 340

108.58

N 70° 50' E

N 87° 33'

N 70° 50' E

108.58

N 87° 33'

N 21° 25' W

207.87

N 40° 06' E

397.48

N 60° 06' W

185.78

N 21° 25' W

207.87

N 40° 06' E

397.48